

Financial Management (Consequential Amendments) Bill

No.

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LEGISLATIVE ASSEMBLY

Read 1° 9 March 1994

(Brought in by Mr Stockdale and Mr Smith (Polwarth))

A BILL

to make amendments to certain Acts consequential on the enactment of the **Financial Management Act 1994** and for other purposes.

Financial Management (Consequential Amendments) Act 1994

The Parliament of Victoria enacts as follows:

1. Purpose

The purpose of this Act is to make amendments to certain Acts consequential on the enactment of the **Financial Management Act 1994**.

2. Commencement

- (1) Section 1 and this section come into operation on the day on which this Act receives the Royal Assent.
- (2) The remaining provisions of this Act come into operation on a day or days to be proclaimed.

Section headings appear in bold italics and are not part of the Act.
(See **Interpretation of Legislation Act 1984**.)

3. *Amendment of appropriation provisions*

An Act specified in the heading to an item in Schedule 1 is amended, on commencement of that item or a provision of an item, as set out in that item or provision.

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4. *Amendment of annual reporting provisions*

An Act specified in the heading to an item in Schedule 2 is amended, on commencement of that item or a provision of an item, as set out in that item or provision.

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SCHEDULES

SCHEDULE 1

Appropriation Provisions

1. *Adoption Act 1984*

In section 105, for “appropriated by Parliament” **substitute** “available”.

2. *Adult, Community and Further Education Act 1991*

In section 9, **omit** “in accordance with any appropriation made by Parliament”.

3. *Albury–Wodonga Agreement Act 1973*

In section 22 (2), paragraph (a) is **repealed**.

4. *Alpine Resorts Act*

In section 33 (2), paragraph (a) is **repealed**.

✓ **5. *Appeals Costs Act 1964***

5.1 In section 4 (7), for “appropriated by Parliament” **substitute** “available”.

5.2 In section 14 (1), for “appropriated by Parliament” **substitute** “available”.

5.3 In section 14B (1), for “appropriated by Parliament” **substitute** “available”.

5.4 In section 18 (1) (d), for “appropriated by Parliament” **substitute** “available”.

5.5 In section 19 (1), for “appropriated by Parliament” **substitute** “available”.

5.6 In section 19A (1), for “appropriated by Parliament” **substitute** “available”.

6. *Border Railways Act 1922*

In section 21, for “appropriated by Parliament” **substitute** “available”.

SCHEDULE 1—*continued*

7. Cattle Compensation Act 1967

In section 4 (2) (b) (ii) and 4 (2) (c) (iii), for “appropriated by Parliament” **substitute** “available”.

8. Children and Young Persons Act 1989

8.1 In section 58 (3), for “appropriated by Parliament” **substitute** “available”.

8.2 In section 250 (3), for “appropriated by Parliament” **substitute** “available”.

9. Chinatown Historic Precinct Act 1984

In section 20 (3)—

(a) for “appropriated by Parliament for the purposes of this Act” **substitute** “received by the Council”;

(b) **omit** “or otherwise received”.

10. Coal Mines (Pensions) Act 1958

10.1 In heading preceding section 119, for “THE FUND” **substitute** “PENSIONS”.

10.2 For section 119 **substitute**—

“119. Pensions

All pensions payable to mine workers or dependants of mine workers and the expenses involved in the administration of this Part shall be paid out of the Consolidated Fund, which is hereby to the necessary extent appropriated accordingly.”.

10.3 Section 120 is **repealed**.

10.4 In section 121 (1) for “on each examination of the fund made by an actuary appointed by the Minister obtain from the actuary” **substitute** “from time to time obtain from an actuary appointed by the Minister”.

11. Coal Creek Historical Park Act 1975

In section 28 (1), for “appropriated by Parliament” **substitute** “available”.

SCHEDULE 1—*continued*

12. *Conservation, Forests and Lands Act 1987*

12.1 In section 68 (1), for “appropriated by Parliament” substitute “available”.

12.2 In section 75 (3), for “appropriated by Parliament” substitute “available”.

13. *Corrections Act 1986*

In section 109, for “appropriated by Parliament” substitute “available”.

14. *Country Fire Authority Act 1958*

In section 85, for “appropriated by Parliament” substitute “available”.

15. *Crimes (Confiscation of Profits) Act 1986*

In section 15A (1), paragraph (b) is **repealed**.

16. *Decentralized Industry Incentive Payments Act 1972*

16.1 In section 4 (6), for “appropriated by Parliament” substitute “available”.

16.2 In section 4B (6), for “appropriated by Parliament” substitute “available”.

17. *Drugs, Poisons and Controlled Substances*

In section 126, paragraph (b) is **repealed**.

18. *Dried Fruits Act 1958*

In section 17, for “appropriated by Parliament” substitute “available”.

19. *Economic Development Act 1981*

In section 13 (3), **omit** “from moneys appropriated by Parliament for the purposes of the economic development of this State”.



SCHEDULE 1—*continued*

20. *Education Act 1958*

In section 28 (3) (b), for “appropriated by Parliament” **substitute** “available”.

21. *Educational Grants Act 1973*

In section 3 (1), **omit** “from moneys appropriated by Parliament for the purposes of this Act”.

22. *Emerald Tourist Railway Act 1977*

In section 28 (1), for “appropriated by Parliament” **substitute** “available”.

23. *Employment and Training Act 1981*

In section 17_B (5), for “appropriated by Parliament” **substitute** “available”.

✓ **24. *Evidence Act 1958***

In section 21, sub-section (2) is **repealed**.

25. *Extractive Industries Act 1966*

25.1 In sections 24 (2) and 25 for “the moneys appropriated by Parliament” **substitute** “moneys available”.

25.2 In section 24 (3) for “appropriated by Parliament” **substitute** “available”.

26. *Film Victoria Act 1981*

In section 20 (1)—

(a) paragraph (b) is **repealed**;

(b) in paragraph (e) after “loans” **insert** “or otherwise”.

27. *Firearms Act 1958*

In section 22^{AC} (8) for “appropriated by Parliament” **substitute** “available”.

SCHEDULE 1—*continued*

28. Fisheries Act 1968

- 28.1 In section 15 (4), for “appropriated by Parliament” substitute “available”.
- 28.2 In section 19 (1) for “appropriated by Parliament” substitute “available”.
- 28.3 Section 19 (2) is **repealed**.

29. Forests Act 1958

- 29.1 In section 20, for “appropriated by Parliament” substitute “available”.
- 29.2 In section 91 (b), for “appropriated by Parliament” substitute “available”.

30. Gippsland Folk Museum Act 1976

In section 28 (1), for “made available by Parliament” substitute “available”.

31. Health Services Act 1988

In section 136 (2)—

- (a) paragraph (b) is **repealed**;
- (b) in paragraph (c), after “to be paid” insert “, or otherwise made available for payment,”.

32. Historic Buildings Act 1981

In section 43 (3), paragraph (a) is **repealed**.

33. Intellectually Disabled Persons’ Services Act 1986

- 33.1 In section 22 (1), for “appropriated by Parliament” substitute “available”.
- 33.2 In section 71, for “appropriated by Parliament” substitute “available”.

34. Land Act 1958

In section 140G for “appropriated by Parliament” substitute “available”.

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SCHEDULE 1—*continued*

35. *Latrobe Regional Commission Act 1983*

In section 48 (2), paragraph (a) is **repealed**.

36. *La Trobe University Act 1964*

Section 32 is **repealed**.

37. *Loddon-Campaspe Regional Planning Authority*

In section 25 (1), **omit** “under this Act, including any money appropriated by Parliament for the purposes of this Act,”.

38. *Marine Act 1988*

In section 109 (3) for “appropriated by Parliament” **substitute** “available”.

39. *Melbourne University Act 1958*

Section 32 is **repealed**.

40. *Mental Health Act 1986*

40.1 In section 99 (1), for “appropriated by Parliament” **substitute** “available”.

40.2 In section 104, **omit** “for that purpose”.

40.3 In section 128 (2), for “appropriated by Parliament” **substitute** “available”.

41. *Monash University Act 1958*

Section 31 is **repealed**.

42. *Museums Act 1983*

In section 19 (1) (a) for “appropriated by Parliament” **substitute** “available”.

43. *National Parks Act 1975*

43.1 In section 20 (1), for paragraph (c) **substitute**—

“(c) may with the approval of the Minister authorise the payment from money available for that purpose for or in connection with research, study or investigation promoted under paragraph (b).”.

SCHEDULE 1—*continued*

43.2 In section 26 (a) for “appropriated by Parliament” substitute “available”.

44. *Patriotic Funds Act 1958*

In section 8 (3), for “appropriated by Parliament” substitute “available”.

45. *Port of Geelong Authority Act 1958*

45.1 In section 93 (1), for “appropriated by Parliament” substitute “available”.

45.2 In section 121 (2) for “appropriated by Parliament” substitute “available”.

46. *Prostitution Regulation Act 1986*

In section 46 (2), paragraph (c) is **repealed**.

✓ **47. *Residential Tenancies Act 1980***

In section 50—

(a) in paragraph (a), after “Act” insert “or any other Act”;

(b) paragraph (e) is **repealed**.

48. *Soil Conservation and Land Utilization Act 1958*

In section 29, for “appropriated by Parliament” substitute “available”.

49. *Sport and Recreation Act 1972*

In sections 14 (3), 15 (3) and 15A (1), for “appropriated by Parliament” substitute “available”.

50. *State Film Centre of Victoria Council Act 1983*

In section 11 (2), for “appropriated by Parliament” substitute “available”.

51. *Stock Diseases Act 1968*

In section 40 (d) for “appropriated by Parliament” substitute “made available”.

SCHEDULE 1—*continued*

52. Survey Co-ordination Act 1958

52.1 In section 15 (3), **omit** “for survey purposes”.

52.2 In section 19 (1), **omit** “for survey purposes”.

53. Swan Hill Pioneer Settlement Act 1974

In section 28 (1), for “appropriated by Parliament” **substitute** “available”.

54. Swine Compensation Act 1967

In section 4 (2) (b) (ii), for “appropriated by Parliament” **substitute** “available”.

55. Tourism Victoria Act 1992

In section 23 (2), paragraph (a) is **repealed**.

✓ **56. Transfer of Land Act 1958**

56.1 In section 110 (6), for “appropriated by Parliament” **substitute** “available”.

56.2 In section 116 (4), for “appropriated by Parliament” **substitute** “available”.

57. Transport Act 1983

57.1 In section 66 (3), paragraph (a) is **repealed**.

57.2 In section 66 (3) (b) **omit** “out of the Works and Services Account”.

58. Upper Yarra Valley and Dandenong Ranges Authority Act 1976

In section 31 (2)—

(a) paragraph (a) is **repealed**;

(b) in paragraph (e), after “Authority” **insert** “or otherwise”.

59. Vegetation and Vine Diseases Act 1958

In section 28 (7), for “appropriated by Parliament” **substitute** “available”.

SCHEDULE 1—*continued*

60. Vocational Education and Training Act 1990

In section 70 (1), for “appropriated by Parliament” **substitute** “available”.

61. Weights and Measures Act 1958

In section 57, for “provided by Parliament” **substitute** “available”.

62. Wildlife Act 1975

In section 17, sub-sections (2) and (3) are **repealed**.

63. Wire Netting Act 1958

In section 27, for “provided by Parliament” **substitute** “available”.

✓ **64. Workers Compensation Act 1958**

In section 4 (3) for “specially appropriated by Parliament” **substitute** “otherwise available”.

65. Youth Affairs Act 1986

In section 12 (1), **omit** “Out of money appropriated by Parliament for the purposes of youth services,”.

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SCHEDULE 2

Annual Reporting Provisions

- 1. *Accident Compensation Act 1985***
Sections 35, 36 and 38B are **repealed**.
- 2. *Adult, Community and Further Education Act 1991***
Division 3 of Part 2 is **repealed**.
- 3. *Agricultural Industry Development Act 1990***
Division 3 of Part 3 is **repealed**.
- 4. *Agricultural and Veterinary Chemicals Act 1992***
Section 37 is **repealed**.
- 5. *Alpine Resorts Act 1983***
Section 10, except sub-sections (7) and (8), are **repealed**.
- 6. *Ambulance Services Act 1986***
Sections 37 and 38 are **repealed**.
- 7. *Architects Act 1991***
Sections 60, 61 and 62 are **repealed**.
- 8. *Board of Studies Act 1993***
Sections 20, 21 and 22 are **repealed**.
- 9. *Building Act 1993***
Sections 202, 203 and 204 are **repealed**.
- 10. *Building Control Act 1981***
Section 91B is **repealed**.
- 11. *Building Societies Act 1986***
Sections 23, 24 and 25 are **repealed**.

SCHEDULE 2—*continued*

12. *Casino Control Act 1991*

Sections 146, 147 and 148 are **repealed**.

13. *Chiropractors and Osteopaths Act 1978*

Sections 19, 19A and 19B are **repealed**.

14. *Coal Mines (Pensions) Act 1958*

Section 128 is **repealed**.

15. *Community Services Act 1970*

Section 11 is **repealed**.

16. *Construction Industry Long Service Leave Act 1983*

Sections 8 and 18 are **repealed**.

17. *Coroners Act 1985*

Section 74 is **repealed**.

18. *Council of Adult Education Act 1981*

Section 19 is **repealed**.

19. *Dairy Industry Act 1992*

Sections 23, 24 and 25 are **repealed**.

20. *Deakin University Act 1974*

Division 7 of Part I is **repealed**.

21. *Dental Technicians Act 1972*

Sections 34A, 35 and 36 are **repealed**.

22. *Dentists Act 1972*

Sections 4A, 4B and 4C are **repealed**.

SCHEDULE 2—*continued*

- 23. Docklands Authority Act 1991**
23.1 In the heading to Part 4, omit “AND REPORTING”.
23.2 Sections 37, 38 and 39 are **repealed**.
- 24. Dried Fruits Act 1958**
24.1 Section 18A (1) and (2) is **repealed**.
24.2 In section 18 (3), for “the report” substitute “each annual report under the **Financial Management Act 1994**”.
- 25. Education Act 1958**
In section 26, paragraph (g) is **repealed**.
- 26. Electricity Industry Act 1993**
Sections 39, 40 and 41 are **repealed**.
- 27. Emerald Tourist Railway Act 1977**
Sections 24 and 25 are **repealed**.
- 28. Emergency Services Superannuation Act 1986**
Section 19, except sub-sections (7) and (8), is **repealed**.
- 29. Environment Protection Act 1970**
29.1 Section 13 (2) is **repealed**.
29.2 Sections 49L and 49M are **repealed**.
- 30. Exhibition Act 1957**
Sections 10, 10A and 10B are **repealed**.
- 31. Film Victoria Act 1981**
Section 21, except sub-section (7), is **repealed**.
- 32. Financial Institutions (Victoria) Act 1992**
Division 6 of Part 6 is **repealed**.

SCHEDULE 2—*continued*

33. *Gaming Machine Control Act 1991*

Sections 114, 115 and 116 are **repealed**.

34. *Gas and Fuel Corporation Act 1958*

Sections 20 and 21 are **repealed**.

35. *Geelong Performing Arts Centre Trust Act 1980*

35.1 Section 17, except sub-section (6), is **repealed**.

35.2 Section 18 is **repealed**.

36. *Government Employee Housing Authority Act 1981*

Sections 22 and 23 are **repealed**.

37. *Grain Elevators Act 1958*

Sections 47 and 48 (except sub-section (5)) are **repealed**.

38. *Guardianship and Administration Board Act 1986*

Sections 75, 76, 77, 78 and 79 (except sub-section (5)) are **repealed**.

39. *Health Services Act 1988*

Division 7 of Part 3 is **repealed**.

40. *Historic Buildings Act 1981*

Sections 45, 45A and 45B are **repealed**.

41. *Hospitals Superannuation Act 1988*

Sections 20, 21 and 22 are **repealed**.

42. *Judicial Studies Board Act 1990*

Sections 12, 13, 14 and 15 are **repealed**.

43. *Land Tax Act 1958*

Section 95 is **repealed**.

SCHEDULE 2—*continued*

44. *Latrobe Regional Commission Act 1983*

Section 49 is **repealed**.

45. *La Trobe University Act 1964*

45.1 Division 9 of Part I is **repealed**.

45.2 Sections 72, 73 and 74 are **repealed**.

46. *Legal Aid Commission Act 1978*

Section 42 is **repealed**.

47. *Libraries Act 1988*

Sections 33, 34 and 35 are **repealed**.

48. *Local Authorities Superannuation Act 1988*

Sections 20, 21 and 22 are **repealed**.

49. *Marine Act 1988*

49.1 In the heading to Division 2 of Part 8, for “Accounts and Records”
substitute “Financial”.

49.2 Sections 79, 80 and 81 are **repealed**.

50. *Meat Industry Act 1993*

50.1 For the heading to Division 2 of Part 6 substitute—

“**Division 2—Financial**”.

50.2 Sections 59, 60, 61 and 62 are **repealed**.

51. *Melbourne Market Authority Act 1977*

Section 19 is **repealed**.

52. *Melbourne University Act 1958*

In section 41, sub-sections (2) (3) and (4) are **repealed**.

53. *Melbourne Water Corporation Act 1992*

Part 5 is **repealed**.

SCHEDULE 2—*continued*

54. *Monash University Act 1958*

In section 36, sub-sections (2) (3) and (4) are **repealed**.

55. *Museums Act 1983*

Section 30, except sub-section (9), is **repealed**.

56. *National Gallery of Victoria Act 1966*

Section 17 is **repealed**.

57. *National Tennis Centre Act 1985*

Sections 19, 20 and 21 are **repealed**.

58. *Nurses Act 1993*

58.1 In the heading to Part 7 **omit** “REPORTING AND”.

58.2 Sections 84, 85 and 86 are **repealed**.

59. *Pathology Services Accreditation Act 1984*

59.1 In the heading to Part VIII **omit** “AND ANNUAL REPORT”.

59.2 Section 29 is **repealed**.

60. *Port Bellarine Tourist Resort Act 1981*

Section 21 is **repealed**.

61. *Port of Geelong Authority Act 1958*

Section 86 is **repealed**.

62. *Port of Melbourne Authority Act 1958*

Sections 118 and 135i are **repealed**.

63. *Port of Portland Authority Act 1958*

Sections 43 and 44 are **repealed**.

64. *Prince Henry’s Institute of Medical Research Act 1988*

Sections 16, 17 and 18 are **repealed**.

SCHEDULE 2—*continued*

65. *Prostitution Regulation Act 1986*

Sections 47 and 48 are **repealed**.

66. *Public Sector Superannuation (Administration) Act 1993*

Sections 25, 26 and 27 are **repealed**.

67. *Racing Act 1958*

67.1 Section 47 is **repealed**.

67.2 Section 81 is **repealed**.

67.3 Section 116Y is **repealed**.

68. *Renewable Energy Authority Victoria Act 1990*

68.1 In the heading to Part 3 **omit** “AND REPORTS”.

68.2 Sections 18, 19 and 20 are **repealed**.

69. *Royal Botanic Gardens Act 1991*

Sections 34, 36 and 37 are **repealed**.

70. *Royal Melbourne Institute of Technology Act 1992*

Sections 40, 41 and 42 are **repealed**.

71. *Rural Finance Act 1988*

Sections 27, 28 and 29 are **repealed**.

72. *Sport and Recreation Act 1972*

Section 22 is **repealed**.

73. *State Casual Employees Superannuation Act 1989*

Sections 19, 20 and 21 are **repealed**.

74. *State Employees Retirement Benefits Act 1979*

Sections 11 and 17 are **repealed**.

SCHEDULE 2—*continued*

75. *State Film Centre of Victoria Council Act 1983*

Section 14, except sub-section (8), is **repealed**.

76. *State Insurance Office Act 1984*

76.1 Sections 24 and 25 are **repealed**.

76.2 Section 30 (2) is **repealed**.

77. *State Owned Enterprises Act 1992*

Sections 56, 57 and 58 are **repealed**.

78. *State Superannuation Act 1988*

Sections 20, 21 and 22 are **repealed**.

79. *State Trust Corporation of Victoria Act 1987*

Sections 49 and 50 (except sub-section (5)) are **repealed**.

80. *Surveyors Act 1978*

Sections 28 (3) (4) (5) and 29 are **repealed**.

81. *Swan Hill Pioneer Settlement Act 1974*

Sections 24 and 25 are **repealed**.

82. *Swinburne University of Technology Act 1992*

Sections 45, 46 and 47 are **repealed**.

83. *Tertiary Education Act 1993*

Sections 17, 18 and 19 are **repealed**.

84. *Tobacco Act 1987*

Sections 34, 35 and 36 are **repealed**.

85. *Tourism Victoria Act 1992*

Section 27, except sub-section (8), is **repealed**.

SCHEDULE 2—*continued*

86. *Transport Accident Act 1986*

Sections 30, 31, 32 and 33 (except sub-section (5)) are **repealed**.

87. *Transport Act 1983*

Section 67 is **repealed**.

88. *Transport Superannuation Act 1988*

Sections 19, 20 and 21 are **repealed**.

89. *Treasury Corporation of Victoria Act 1992*

Part 4 is **repealed**.

90. *Upper Yarra Valley and Dandenong Ranges Authority Act 1976*

Sections 32 and 33 are **repealed**.

91. *Victoria University of Technology Act 1990*

Sections 43, 44 and 45 are **repealed**.

92. *Victorian Arts Centre Act 1979*

Sections 17 (except sub-section (6)) and 18 are **repealed**.

93. *Victorian College of the Arts Act 1981*

Divisions 7 and 8 of Part I are **repealed**.

94. *Victorian Conservation Trust Act 1972*

Sections 9, 10, 11 and 12 are **repealed**.

95. *Victorian Debt Retirement Fund Act 1990*

Sections 25, 26 and 27 are **repealed**.

96. *Victorian Institute of Marine Sciences Act 1974*

96.1 Sections 21 (except sub-section (3)), 24 and 26 are **repealed**.

96.2 The heading “AUDIT” before section 24 is **repealed**.

SCHEDULE 2—*continued*

97. *Victorian Prison Industries Commission Act 1983*

Sections 34 and 35 are **repealed**.

98. *Victorian Relief Committee Act 1958*

Sections 7, 7A and 7B are **repealed**.

99. *Water Act 1989*

Division 2 of Part 13 is **repealed**.

100. *Western Metropolitan Market Act 1938*

Section 15 is **repealed**.

101. *Zoological Parks and Gardens Act 1967*

Sections 15D, 15E and 15F are **repealed**.

